REMARKS

To expedite prosecution, the subject matter of claim 37 has been combined with claim 1 and claim 37 has been cancelled. Subject matter similar to that of claim 37 has been added to claim 18. New claims 45 and 46 have been added.

Claims 1 and 18 have been amended to remove the word "considerably" to obviate the rejection of these claims and the claims dependent thereon under 35 USC 112, paragraph 2. Claim 11 has been similarly amended.

The subject matter of claim 37, as incorporated into claim 1, cures the antecedent problem set forth in item 5, page 3, of the Office Action.

Applicants traverse the rejection of claims 42 and 43 under 35 USC 112, paragraph 2. The Office Action alleges the limitation "the transmitted alternation" has insufficient antecedent basis. The misspelling of alteration, as "alternation" has been corrected. Further, claims 42 and 43 include antecedent basis for "the transmitted alteration." In this regard, line 3 of each claim states "transmitting the alteration." Certainly, such language provides antecedent basis for "the transmitted alteration." If the scope of a claim would be reasonably ascertainable by those skilled in the art, the claim is not indefinite. *Ex parte Porter*, 25 USPQ 2d 744, 1145 (Board of Patent Appeals and Interferences 1992). Certainly, one of ordinary skill in the art, when reading claims 42 and 43, would understand that the transmitted alteration is the same alteration as the one recited in the step of "transmitting the alteration."

In the previous Office Action, claim 37 was incorrectly rejected as being anticipated under 35 USC 102(e) by Hlasny, US Patent 5,722,160. The Office Action alleged that column 5, lines 7-10, of the reference included the step of causing the device memory to distribute the personal information of the first and second participants on the web page to network elements of participants of the meeting via a link including the short range wireless network. It is not at all clear from the Office Action what the Examiner considers to be the personal information about the first and second participants. The Office Action

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states column 3, lines 37-53, of Hlasny discloses a network element that is associated with each participant storing in the memory of the network element personal information about a person associated with the network element. However, column 3, lines 37-53, discusses transferring a file or other data object from a source device to a destination device. This portion of the reference indicates the participants in a conference may desire to share a file and that the file is desirably transferred with a minimum of user action. This portion of the reference also states that Hlasny concluded that methods of transferring data objects with wire networks are not generally well suited to *ad hoc* systems including mobile devices that randomly and spontaneously join and leave a network. The Examiner is requested to indicate what the personal information about the associated person is in the portion of the reference at column 3, lines 37-53.

To meet the requirement of former claim 37 for the personal information of the first and second participants that is on a web page and is distributed to network elements of participants of a meeting, the Examiner relies on column 5, lines 7-10. However, column 5, lines 7-10, merely indicates a search request message is sensed sequentially to each slave on a list of devices supporting an object search and retrieval service (OS&R) until either a user who initiated the search request message stops the search or all devices included in the list of devices supporting the OS&R have been queried. The search request message thus does not include the personal information of first and second participants on a web page.

Based on the foregoing, claims 1 and 18, as amended, are not anticipated by Hlasny and the claims dependent thereon are allowable therewith. In addition, many of these claims include limitations not found in the Hlasny reference.

For example, claim 35 is concerned with an access filter for restricting access to data stored on any one of the network elements by any other of the short range network elements. The Office Action cites column 5, lines 21-43, for this feature. There is no access filter described in column 5, lines 21-43. Column 5, lines 21-43, describes procedures that follow selection and queuing of objects for downloading, wherein one of the devices where an object is located is selected as a source of the object download. Each potential source of an object, that is, a slave device such as devices 126, 128, 132

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and 134, Fig. 4D, is queried by master 122 concerning a measure of the availability and capacity of the slave device for downloading. The reference indicates a downloading queue is annotated to include a ranking of potential slave sources according to a download throughput, slave availability and the portion of an object available at the slave. The user of a master can limit the object transfer capacity of a potential download source, i.e., slave, to preserve the facilities of the master for other purposes by setting preference parameters related to the different applications in use on the master. Alternatively, the user of the master can limit the number of simultaneous object transfers or allocate bandwidth among simultaneous transfer operations. A user of the destination device, i.e., master 122, can select a source of the download, that is, one of devices 1-4, or set preferences to allow the system to select a download source (that is, one of devices 1-4) to optimize download performance measures. If none of the potential sources (one of devices 1-4) has the current download capability, the transfer is placed in a transfer queue until such a source becomes available. The Examiner is requested to indicate how the foregoing discloses the access filter of claim 35.

Claim 10 has been amended to indicate access is restricted to receipt of the stored data by another of the network elements and that restricted access is based on the nature of the restricted data vis-à-vis a security rating of the another network element.

The rejection of claims 11 and 31 states column 4, line 51-column 5, line 20, of Hlasny discloses repeatedly broadcasting a network address associated with a web page from a beacon at a first location. Presumably, the Examiner considers master 122 to be the beacon. However, the relied upon portion of the reference never states master 122 broadcasts a network address associated with a web page. Instead, this portion of Hlasny refers to identifiers for the objects, that is, slaves 126 and 134.

The Office Action relies on column 4, lines 9-27, of Hlasny to meet the requirements of claims 28, 29 and 41. Claims 28, 29 and 41 are directed to a server. Claim 28 indicates the server stores script for a web page, while claim 29 indicates one of the network elements of claim 28 acts as the server. There is no mention of a server at column 4, lines 9-27, of the reference. While this portion of Hlasny discusses a master 122, an inspection of Fig. 4A, about which column 4, lines 9-27, is concerned, indicates

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the master 122 is a portable telephone. The same portion of Hlasny is relied on to disclose the claim 33 requirement for a server and an access point arranged to couple a signal including web page data to the server. The access point is first defined in claim 32, that is not rejected under 35 USC 102(e) as being anticipated by Hlasny. Hence, the statutory basis for the rejection of claim 33 is incorrect. Clearly, a first claim that is rejected on 35 USC 102 and depends on a second claim rejected on 35 USC 103, is improperly rejected.

Because there is no access point disclosed in Hlasny claim 33 is improperly rejected on a substantive basis.

Column 5, lines 44-53, of Hlasny is relied on to reject claim 38, including a requirement to send a sign out signal in response to a first participant leaving the meeting. However, column 5, lines 44-53, merely indicates a transfer of data is interrupted if a source moves out of range, a user stops or pauses a transfer or only part of an object is available from a selected source. There is nothing in the relied upon portion of the reference to indicate a sign out signal is sent.

To reject claims 42 and 43, the Office Action relies on column 5, lines 11-43, of the reference. The paragraph at column 5, lines 11-20, is concerned with how an object transfer is initiated, by referring to Fig. 4D. The user of master 122 selects one or more objects, such as object 143, which is selected for downloading to the master. The paragraph on column 5, between lines 21 and 43, includes a description of operations performed following selection and queuing of objects for downloading. This paragraph has been discussed in detail *supra*. The Examiner is requested to indicate how this portion of the reference discloses participants at a meeting altering information stored in a memory device and on a web page by activating a network element associated with the participant and how this portion of the reference discloses transmitting the alteration from the network element associated with the meeting participant to the device memory and causing the device memory to store the transmitted alteration and the transmitted alteration to modify the web page.

The Office Action relies on column 4, lines 1-8, of Hlasny to reject claim 44, which requires more than two elements of a network to transmit personal information about

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participants at a meeting directly to each other. Column 4, lines 1-8, relates to operations associated with the device discovery phase in response to a paging message being transmitted by an initiating communication device. This portion of the reference indicates devices within the range of the initiator receive the paging message and respond to the page with the responder's device address. The responses are collected and the addresses of the responding devices are compiled in a device list. It is not seen how this has anything to do with transmitting personal information about participants of a meeting directly to each other.

The rejection of claims 8, 13, 16, 17, 32 and 34 as being unpatentable over Hlasny in view of St. Hilaire et al. , US Patent Publication 2002/0146981, is traversed. Firstly, the secondary reference does not cure the deficiencies of the primary reference. Consequently, the rejection is improper. The Office Action admits Hlasny does not disclose the features of these dependent claims, but relies on St. Hilaire to disclose these features. The Examiner states it would have been obvious to one of ordinary skill in the art to have modified Hlasny as a result of St. Hilaire to include the features of these dependent claims.

Applicants cannot agree. Hlasny is concerned with an object search and retrieval service for an *ad hoc* piconet data communication system; see, for example, column 1, lines 12-15, column 2, lines 22-24, and column 3, lines 14-23 and 37-40. Hence, there is no need in the Hlasny system for a long-range cellular transceiver arrangement that acts as an access point between a short range wireless network and another network, as alleged in the Office Action. The combination of references is a classic case of an Examiner looking for a secondary reference that discloses features of an applicant's claims and tacking the features of the secondary reference onto the primary reference, without cause. Consequently, the combination of references is not obvious to one of ordinary skill in the art, but is a result of hindsight.

Newly added claims 45 and 46 are, to a certain extent, similar to claims 1 and 18 as previously submitted. However, new claims 45 and 46 require the updated web page to be distributed to network elements of the short range wireless network via the short range wireless network. The distributing operation, in combination with the remaining features of

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claims 45 and 46, is not rendered obvious by the art of record. In Hlasny, the primary reference, there is no distribution of an updated web page to network elements. Instead, Hlasny is concerned with searching for a particular object by a master among several slaves. As such, there is no reason to distribute an updated web page to network elements of a short range wireless network in the Hlasny system.

In view of the foregoing amendments and remarks, allowance is in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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